

FILED BY *car* D.C.

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**IN THE UNITED STATES FEDERAL COURT
WESTERN DISTRICT OF TENNESSEE-MEMPHIS**

**GLORIA ROGERS,
INDIVIDUALLY AND AS
THE ADMINISTRATOR OF
THE ESTATE AND
SUCCESSION OF WILBERT
KEITH ROGERS,**

Plaintiff,

**v.
COMMISSIONER QUENTON
WHITE OF THE
TENNESSEE DEPARTMENT
OF CORRECTIONS, WARDEN
DAVID MILLS OF
WEST TENNESSEE STATE
PENITENTIARY, AND
UNKNOWN JOHN DOE
GUARDS**

Defendant.

Case No. *05-2470*
~~04-2829~~ *Ma/A*

**JOINT RULE 16(b) ~~PROPOSED~~ SCHEDULING ORDER OF THE
PLAINTIFF AND DEFENDANTS**

A telephonic scheduling conference was held on October 21, 2005. Present were Willie J. Nunnery, Esq., counsel for the plaintiff, and Pamela Lorch, counsel for the defendant. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a)(1):

November 17, 2005

17

JOINING PARTIES:

December 29, 2005

AMENDING PLEADINGS:

December 29, 2005

INITIAL MOTION TO DISMISS:

January 26, 2006

COMPLETING ALL DISCOVERY: June 15, 2006

(a) DOCUMENT PRODUCTION: June 15, 2006

(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS

FOR ADMISSIONS: June 15, 2006

(c) EXPERT WITNESS DISCLOSURE (Rule 26):

(1) DISCLOSURE OF PLAINTIFF'S RULE 26 EXPERT I

INFORMATION: April 15, 2006

(2) DISCLOSURE OF DEFENDANT'S RULE 26

EXPERT INFORMATION: May 15, 2006

(3) EXPERT WITNESS DEPOSITIONS: June 15, 2006

FILING DISPOSITIVE MOTIONS:

July 15, 2006

OTHER RELEVANT MATTERS:

No depositions may be scheduled to occur after the discovery cutoff date unless by consent of the parties or leave of the court. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer or objection shall be waved.

The case is set for jury trial, and the trial is expected to last six day(s). The pretrial order date, pretrial conference date, and the trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties are directed to engage in court annexed attorney mediation or private mediation after the close of discovery.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed.R.Civ. p.12, 56, 59 and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

Daniel K. Lisano
U.S. Magistrate Judge
S. Thomas Clader WMS
11-02-05
The Court
November 3, 2005

Dated this 28th day of October, 2005.

Respectfully submitted,



Willie J. Nunnery, Esq.
State Bar #: 1016567
Attorney for the Plaintiff


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 28, 2005, a true and correct copy of the foregoing **JOINT RULE 16(b) PROPOSED SCHEDULING ORDER OF THE PLAINTIFF AND DEFENDANTS** was sent via mail to:

Attorney Pamela S. Lorch
Senior Counsel
Attorney General's Office
PO Box 20207
Nashville, TN 37202

Dated this 28th day of October, 2005.



Willie J. Nunnery, Esq.



Notice of Distribution

This notice confirms a copy of the document docketed as number 17 in case 2:05-CV-02470 was distributed by fax, mail, or direct printing on November 4, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT